

### **REMARKS/ARGUMENTS**

In response to the Office Action dated April 10, 2007, Applicants respectfully request reconsideration.

#### **Drawing Objections**

The drawings are objected under 37 C.F.R. 1.83(e) for containing numerous handwritten lines and numbering. Formal drawings for FIGS. 1-13 are included with this Response.

The drawings were further objected to for not showing every feature of the invention specified in the claims. FIG. 2 has been amended to include a reset device of claims 5-6, and a pin hole. FIG. 4 has been amended to add the fastener and vertical wall of claims 2-4, and to show the mounting means of claims 7-17, as requested by the Examiner. FIG. 7 has been amended to include the reset device and reset line of claims 5-6.

#### **Claim Rejections Under 35 U.S.C. §103**

##### **Claims 1-4, 7 and 9-13**

Claims 1-4, 7 and 9-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,700,351 (Blair) in view of U.S. Pat. No. 6,462,961 (Johnson). Claims 3-4 have been cancelled without prejudice, rendering rejection of these claims moot.

##### **Claims 1-2 and 7**

Applicants respectfully assert that independent claim 1, and its dependent claims, are patentable over Blair in view of Johnson. Blair discusses a modular, uninterruptible power supply battery management system and Johnson discusses a component housing assembly having universal mounting capability and a mounting bracket for use therewith. Johnson discusses mounting modular electronic equipment (e.g., information technology equipment) to be mounted within an equipment rack or to a wall. Abstract. The "modular electronic component may be mounted to the wall 158 by utilizing screws 166 or other appropriate mounting hardware." Col. 10, lines 65-67. While the Examiner asserted, with respect to claims 3 and 11 of the present application, that Johnson teaches the use of one fastener (item 166) to

attach the component to the wall for a mounting arrangement, FIG. 11 of Johnson shows no less than four of the screws 166 in use for mounting the modular electronic component 124 to the wall 158. One screw 166 is shown for each mounting bracket 100, with four of the mounting brackets being used to mount the component to the wall. Conversely, independent claim 1 recites an uninterruptible power supply (UPS) that includes a back wall providing an aperture configured to receive a single fastener to mount the UPS to a vertical wall and to support the UPS when mounted to the vertical wall. Johnson does not teach or suggest to mount an electronic component to a wall using a single fastener as recited. Further, this would not be obvious in view of Blair and Johnson as UPSs previously have been either set on the floor, or mounted to a rack in a cabinet, not mounted to vertical walls. Thus, for at least these reasons, independent claim 1, and claims 2 and 7, that depend from claim 1, are patentable over Blair in view of Johnson.

#### Claims 9-13

Applicants respectfully assert that independent claim 9, and its dependent claims, are patentable over Blair in view of Johnson. As discussed above, Blair discusses modular UPS battery management and Johnson discusses mounting of modular electronic equipment. Neither of these references discusses a switched power outlet or cycling power to a switched power outlet. Even U.S. Pat. No. 5,534,734 (Pugh) cited by the Examiner with respect to claims 8 and 14 does not discuss cycling power to a switched power outlet, the Examiner citing Pugh as teaching shedding loads on a battery. Conversely, independent claim 9 recites a UPS that includes at least one switched power outlet and a controller configured to perform firmware instructions to process commands received by a network interface to control the at least one switched power outlet to cycle power at the at least switched power outlet. Thus, for example, a device connected to the switched power outlet can be reset by cycling the power provided to the device. For at least these reasons, independent claim 9 and claims 10-13, that depend from claim 9, are patentable over Blair in view of Johnson (and further in view of Pugh).

#### Claims 8 and 14

Claims 8 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson in further view of Pugh (U.S. Pat. No. 5,534,734). Pugh does not make

up for the deficiencies noted above with respect to independent claim 1, and thus claim 8 that depends from claim 1 is patentable over Blair in view of Johnson in view of Pugh for at least the reasons discussed above. Further, as discussed above, Pugh does not teach or suggest the cycling of power to a switched power load, and thus claim 14 that depends from independent claim 9 is patentable for at least the reasons discussed above with respect to claim 9.

Claim 15

Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson in further view of U.S. Pat. App. Pub. No. 2003/0197723 (Young). Young does not make up for the deficiencies noted above with respect to claim 9 and thus claim 15 is patentable over Blair in view of Johnson in view of Young for at least the reasons discussed above with respect to claim 9, from which claim 15 depends.

Claims 5-6 and 16-17

Claims 5-6 and 16-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson in view of U.S. Pat. No. 7,181,630 (Kadoi) in view of Pugh. Kadoi and Pugh do not make up for the deficiencies noted above with respect to claims 1 and 9 upon which claims 5-6 and 16-17 depend, respectively. Thus, for at least the reasons discussed above with respect to claims 1 and 9, claims 5-6 and 16-17 are patentable over Blair in view of Johnson in view of Kadoi in view of Pugh.

New Claims

Applicants have added new claims 25-27. No new matter is introduced by these claims. New claim 25 depends from claim 7 and specifies that the first controller is configured to perform firmware instructions to control the at least one switched power outlet to cycle power of the switched power outlet, further distinguishing claim 25 from Blair and Johnson in addition to the reasons discussed with respect to claim 1 from which claim 7 depends. Claim 26 depends from claim 1 and clarifies that the aperture provided by the back wall is horizontally centered in the chassis, further distinguishing claim 26 from Blair and Johnson in addition to the reasons discussed with respect to claim 1. Claim 27 depends from claim 9 and specifies means for mounting the UPS to a wall and supporting the UPS when mounted to a vertical wall with a

Appl. No. 10/802,190  
Amdt. dated August 8, 2007  
Reply to Office Action of April 10, 2007

PATENT


single fastener, further distinguishing claim 27 from Blair and Johnson in addition to the reasons discussed with respect to claim 9.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,

  
Shane H. Hunter  
Reg. No. 41,858

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 858-350-6100  
Fax: 415-576-0300  
Attachments  
SHH:jrl  
61053647 v1

+

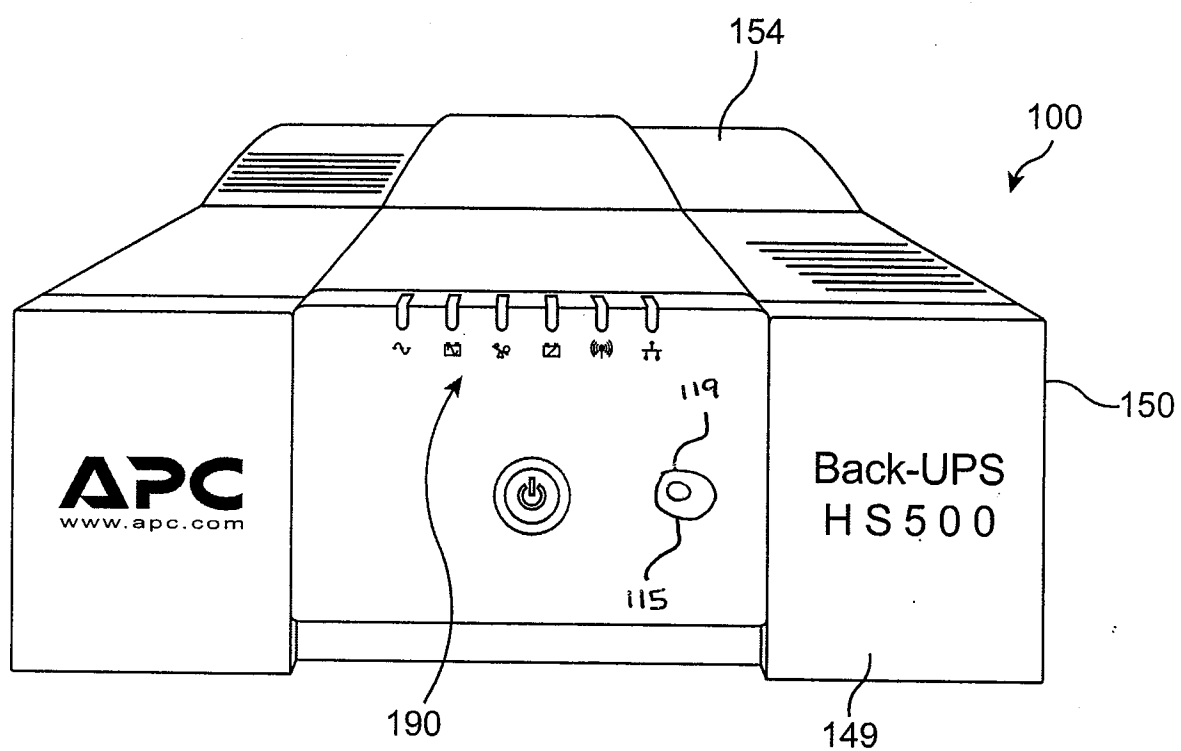


FIG. 2

+

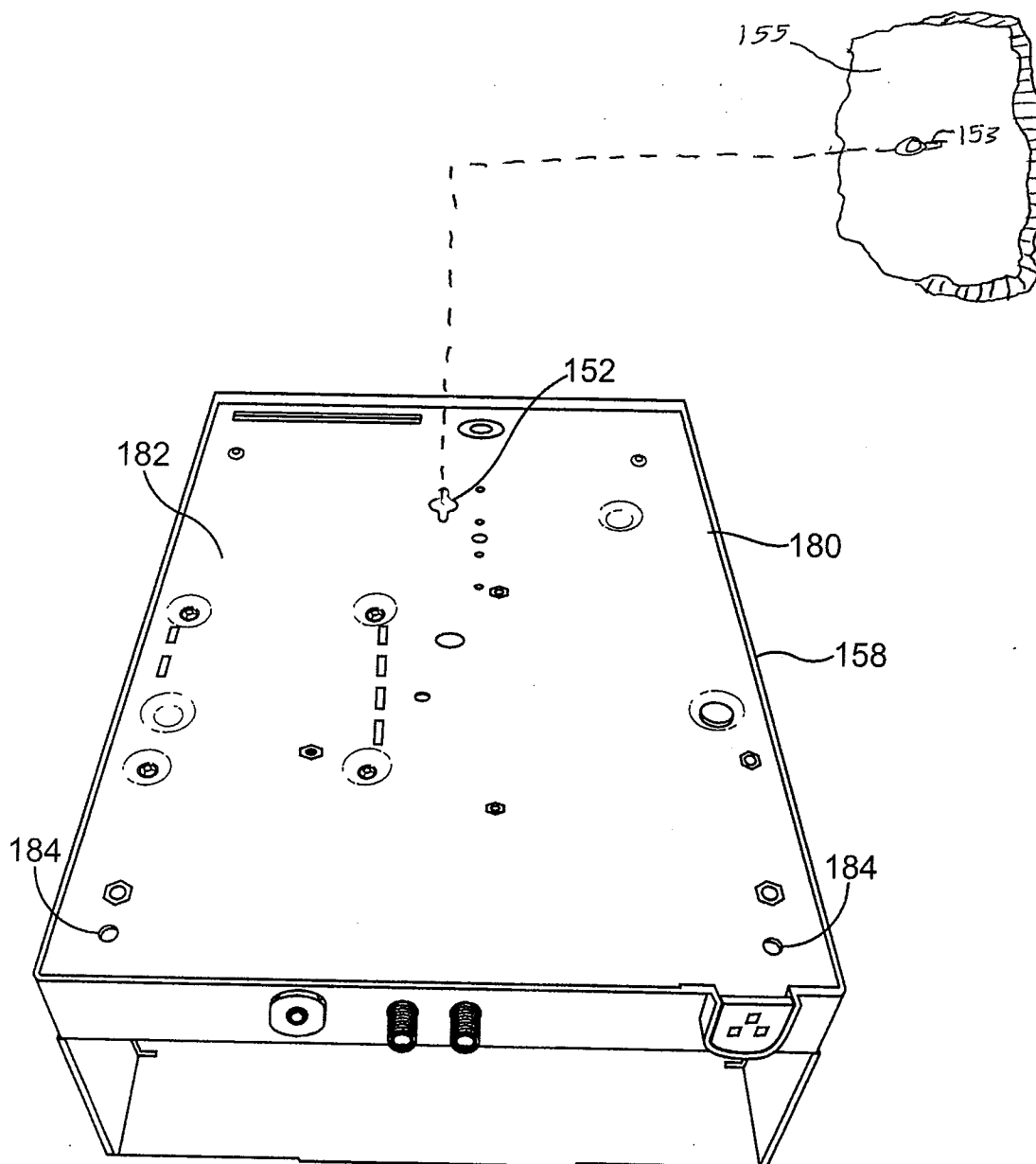


FIG. 4

